IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6638 OF 2004

Bhartiya Shramik Sangharsha Sabha ... Petitioner

V/s.

M/s.Intech Corporation & Ors. ... Respondents

Mr.K.S. Bapat for Petitioner
Mr.V.P. Vaidya for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 18, 2004**

P.C.:

. This Petition has been filed against an interim order passed by the Industrial Court on 22.7.2004 by which the respondents were directed to furnish a bank guarantee of Rs.2 lacs for satisfying the dues of the workmen with an undertaking that further liability of the workmen, if found due, would be made good by the respondents. An earlier order of the Industrial Court dated 3.4.2002 was modified accordingly on condition that the undertaking was furnished. By the order of 3.4.2002, the Industrial Court had restrained the respondents from removing the working machines out of the factory premises without following due process of law. An affidavit has been filed by one Abdul Tariq claiming to be a workman of the respondent company. This affidavit of 18.8.2004 states that the respondents

had removed all except one machine from the premises of the factory between the period from 22.7.2004 till today.

2. Mr.Vaidya, learned Advocate for the respondents, on instructions from one of the Partners of the Respondents, who is present in Court, states that none of the machines have been removed from the factory premises from 22.7.2004 till today. The statement is accepted.

3. I am of the view that interest of justice would be served if the order dated 3.4.2002 is revived and the complaint is disposed of expeditiously. Under these circumstances, there is no need to pass any further orders. Accordingly, the order dated 22.7.2004 is set aside. The earlier order of 3.4.2002 stands revived. The Complaint shall be disposed of expeditiously and in any case before 31.12.2004.

4. Writ Petition stands disposed of accordingly.

5. Parties be provided an authenticated copy of this order.